

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION
Before the Commissioner of Financial and Insurance Regulation

Office of Financial and Insurance Regulation,
Petitioner

v

Keith Epstein,
Respondent

Enforcement Case No. 09-762-L

For the Petitioner:

Elizabeth Bolden
Office of Financial and Insurance Regulation
P.O. Box 30220
Lansing, MI 48909-7720

For the Respondent:

Mark Kowalsky
Jaffe, Raitt, Heuer & Weiss
27777 Franklin Road, Suite 2500
Southfield, MI 48034

Issued and entered
this 27th day of June 2010
by Ken Ross
Commissioner

FINAL DECISION

I. Background

Respondent Keith Epstein was licensed as a resident insurance producer in January 1984. On October 7, 2009, Chief Deputy Commissioner Stephen R. Hilker issued an Order of Summary Suspension and Opportunity for Hearing in this case. The Order included allegations that Respondent had violated section 1239(1)(h) of the Michigan Insurance Code ("the Code") in connection with several transactions with his clients.

Subsequently, on December 22, 2009, Chief Deputy Hilker issued an order Referring Complaint for Hearing and Order to Respond which included allegations that Respondent had violated sections 1207(1) and 1239(1)(h) of the Code, MCL 500.1207(1) and 500.1239(1)(h). Hearing was scheduled for February 17, 2010. Respondent was granted an adjournment and the

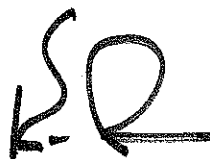
hearing was rescheduled for April 21, 2010 by the administrative law judge (ALJ) assigned to the case.

On April 14, 2010, the parties agreed that the Complaint should be withdrawn while related litigation was in progress in circuit court. Respondent also agreed that the summary suspension of his license should remain in effect. This stipulation of the parties did not reach the ALJ before the April 21 hearing date. Neither party appeared for the scheduled hearing. As a result, the ALJ issued a Proposal for Decision on April 21, 2010. The PFD recommended that the Commissioner dismiss the Complaint.

II. Order

In light of the information above and the parties' stipulation of April 14, 2009, it is ordered that:

1. The Complaint is dismissed without prejudice; and
2. The suspension of Respondent's insurance producer license remains in effect.

A handwritten signature in black ink, appearing to be 'K. Ross', written over a horizontal line.

Ken Ross
Commissioner